

**SUBSTITUTE
DECLARATION FOR UTILITY PATENT APPLICATION**

AS A BELOW-NAMED INVENTOR, WE HEREBY DECLARE THAT:

Our residence, post office address, and citizenship are as stated below next to our names.

We believe we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled: METHOD TO PRODUCE NOVEL POLYKETIDES, the specification of which is attached hereto unless the following box is checked: checked:

☒ was filed on July 17, 1997 as United States Application Serial No. 08/896,323 and was amended on January 8, 1999.

WE HEREBY STATE THAT I HAVE REVIEWED AND UNDERSTAND THE CONTENTS OF THE ABOVE-IDENTIFIED SPECIFICATION, INCLUDING THE CLAIMS, AS AMENDED BY ANY AMENDMENT REFERRED TO ABOVE.

We acknowledge the duty to disclose information which is material to the patentability as defined in 37 C.F.R. § 1.56.

We hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. § 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

| Application Serial No. | Filing Date | Status |
|------------------------|-------------|--|
| 08/675,817 | 5 July 1996 | <input type="checkbox"/> Patented <input checked="" type="checkbox"/> Pending <input type="checkbox"/> Abandoned |

We hereby claim benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

| Application Serial No. | Filing Date |
|------------------------|-------------|
| 60/003,338 | 6 July 1995 |

We hereby appoint the following attorneys and agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

| | |
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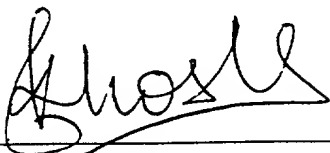
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Please direct all telephone calls to Kate H. Murashige at (202) 887-1533.

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States

Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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